

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

NORTHERN DIVISION

STONEY MURRAY #249363,

Plaintiff,

File no: 2:07-CV-250

v.

HON. ROBERT HOLMES BELL

DENVER MCBURNEY, et al.

Defendants.
_____ /

**ORDER APPROVING MAGISTRATE'S
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

THEREFORE, IT IS ORDERED that:

Plaintiff's complaint is hereby **DISMISSED**.

IT IS FURTHER ORDERED that this dismissal shall count as a strike for purposes of 28 U.S.C. §1915(g).

IT IS FURTHER ORDERED that the Court finds no good-faith basis for appeal within the meaning of 28 U.S.C. §1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601,

611 (6th Cir. 1997).

Date: February 25, 2008

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE